

**AFFIDAVIT IN SUPPORT OF AN  
APPLICATION FOR A CRIMINAL COMPLAINT**

I, Mariano Garay-Ortiz, being first duly sworn, do here by depose and state that:

**INTRODUCTION AND AGENT BACKGROUND**

1. I am a United States Customs and Border Protection Enforcement Officer with the Department of Homeland Security, assigned to investigate Immigration Law violations and Criminal Laws of the United States at the Luis Muñoz Marín International Airport, Carolina, Puerto Rico.

2. I make this affidavit based on my own personal knowledge and on oral and written reports by other federal, state, and/or local law enforcement agents and officers that investigated this matter. This affidavit does not contain all the information derived from this investigation only that which is sufficient to demonstrate probable cause to believe that a crime has been committed.

3. This affidavit is submitted in support of a criminal complaint charging Ezequiel RODRIGUEZ-POLANCO ("RODRIGUEZ-POLANCO") with: Illegal reentry of removed alien, in violation of 8 U.S.C. § 1326(a).

**PROBABLE CAUSE**

4. On or about January 31, 2025, at the Luis Muñoz Marín International Airport in Carolina, Puerto Rico, an alien by the name of Ezequiel RODRIGUEZ-POLANCO, a citizen of the Dominican Republic, was found in the United States.

5. During the inspection conducted by the U.S. Customs and Border Protection Officers, the alien claimed to be a citizen of the Dominican Republic by name of Ezequiel RODRIGUEZ-POLANCO ("RODRIGUEZ-POLANCO") and presenting a Dominican Republic Cedula Card # 028-0108382-1, as proof of identity.

6. The document presented by RODRIGUEZ-POLANCO also contained his photograph and the document was issued under the name of "Ezequiel RODRIGUEZ-POLANCO". RODRIGUEZ-POLANCO claimed to be the rightful bearer of the document.

7. Because RODRIGUEZ-POLANCO did not have any document that allowed him to be present in the United States, an immigration inspection was conducted.

8. During this process, RODRIGUEZ-POLANCO's fingerprints were submitted to the FBI for examination and comparison. This examination disclosed a match to an FBI record.

The FBI record revealed the following immigration history:

- a. On December 3, 2011, RODRIGUEZ-POLANCO was apprehended by US Customs and Border Protection at the Luis Muñoz Marín International Airport, Carolina, PR.
- b. On December 3, 2011, RODRIGUEZ-POLANCO was granted a Voluntary Departure from the United States to the Dominican Republic and the alien departed on the same date to the Dominican Republic.
- c. On April 25, 2017, RODRIGUEZ-POLANCO was apprehended a second time by US Customs and Border Protection at the Luis Muñoz Marín International Airport, Carolina, PR.
- d. On April 25, 2017, RODRIGUEZ-POLANCO was served with a Notice and Order of Expedited Removal from the United States to the Dominican Republic.
- e. On April 25, 2017, the DEFENDANT was physically removed from the United States to the Dominican Republic.

9. RODRIGUEZ-POLANCO stated that his true and correct name is Ezequiel RODRIGUEZ-POLANCO, and that he is a national and citizen of the Dominican Republic.

10. When RODRIGUEZ-POLANCO was last removed from the United States in 2017, he was told that after his deportation/removal from the United States, he was required to obtain permission from the Attorney General or his successor under the Department of Homeland Security prior to his re-embarkation at a place outside the United States to reenter the United States.

11. I conducted records checks which reveal that no application to request permission on form I-212 had been filed on behalf of "Ezequiel RODRIGUEZ-POLANCO" at the Office of Citizenship and Immigration Services.

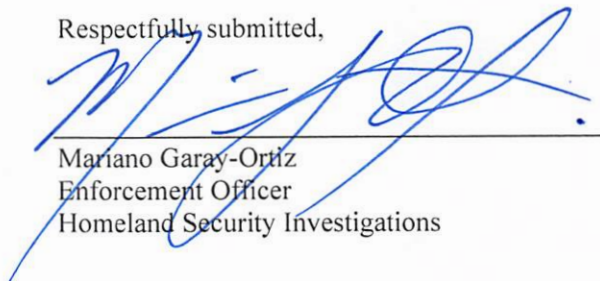
12. RODRIGUEZ-POLANCO is a citizen and national of the Dominican Republic and is an alien with no authorization or legal status to be present in the United States.

13. Further, RODRIGUEZ-POLANCO was deported from the United States and prohibited from re-entering the United States without obtaining consent from the Attorney General or his successor under the Department of Homeland Security prior to his re-embarkation at a place outside the United States or his application for admission.

**CONCLUSION**

14. Based upon my training, experience, and my participation in this investigation, I believe that probable cause exists that Ezequiel RODRIGUEZ-POLANCO was found in the United States in violation of 8 U.S.C. § 1326(a).

Respectfully submitted,



Mariano Garay-Ortiz  
Enforcement Officer  
Homeland Security Investigations

Sworn in accordance with the requirement of Fed. R. Crim. P. 4.1. by telephone at 11:30 a.m.  
on this 3rd day of February 2025, in San Juan, Puerto Rico.



Digitally signed by  
Hon. Bruce J.  
McGiverin

**Hon. Bruce J. McGiverin**  
UNITED STATES MAGISTRATE JUDGE  
DISTRICT OF PUERTO RICO